



March 12, 2025

**BY ECF**

Hon. Stewart D. Aaron, U.S.M.J.  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

Re: *Burton, et al v. Bussanich, et al.*, 18 CV 2039 (JLR)(SDA)

Your Honor:

I am co-counsel for Plaintiffs in this medical malpractice and wrongful death action brought against the United States under the Federal Tort Claims Act, and against certain individuals employed by the Bureau of Prisons (the “BOP”) under Bivens. This action arises from the death of Franklin Sanchez, a Colombian citizen who was in BOP custody after being extradited to the United States when he died. Plaintiffs write in advance of the April 4, 2025 settlement conference to make requests regarding attendance and logistics.

Plaintiffs Magda Acosta, Francy Martinez, and Franklin Sanchez, Jr., reside in Colombia and therefore cannot enter the United States without a visa. Upon information and belief, the wait time for this visa is several years and involves monetary requirements that the Plaintiffs cannot meet. As such, these Plaintiffs respectfully request leave to appear for the settlement conference via Zoom. Defendants consent to this request.

Additionally, the administrator of Mr. Sanchez’s estate is Kenneth Mark Burton. Under New York State surrogates’ law for settling lawsuits, Mr. Burton would not be a decisionmaker for purposes of agreeing to any settlement. The decision makers would be Mr. Sanchez’s wife and children who are Plaintiffs in this lawsuit who as noted above are requesting to appear remotely. Therefore, Plaintiffs respectfully request that the Court excuse Mr. Burton’s attendance from the settlement conference.

Finally, Plaintiffs require the presence of a Spanish translator for the settlement conference, and respectfully request permission to arrange for the presence of a certified federal court interpreter.

Plaintiffs thank the Court for its time and consideration.

Respectfully Submitted,

/S/

Jessica Massimi

